

ZB# 69-11

**Joseph Lewin & Nuzzo
Construction**

(no SBL given)

69-11 Joseph Lewin
Nuzzo Const Corp.
6-18-69 4:25 P.M.

PUBLIC NOTICE OF HEARING BEFORE THE ZONING BOARD OF APPEALS
 PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York, will hold a public hearing pursuant to Section 48-38A of the Zoning Ordinance on the following proposition:
APPEAL NO. 22
 Request of Joseph Stevino & Nuzzo Construction Corp. for a variance of the regulations of the Zoning Ordinance to permit office and warehouse for equipment and materials, being a variance of Article III, Section 48-7, for property owned by him situated as follows: In an R.B. zone, located on Rte 207 and contiguous to the westerly line of the City of Newburgh reservoir lands 1,500 ft. from the intersection of Union Ave. and Route 207.
 SAID HEARING will take place on the 2nd of June, 1969, at the New Windsor School, beginning at 8:30 o'clock P.M.
PATRICIA DELIO
 Secretary
 May 22, 1969

State of New York
 County of Orange, ss:

464

Robert D. Wilkinson, being duly sworn deposes and says that he is The Publisher of Newburgh-Beacon News Co., Inc., Publisher of The Evening News, a daily newspaper published and of general circulation in the Counties of Orange and Dutchess, and that the notice of which the annexed is a true copy was published One Time

..... in said newspaper, commencing on the.....23rd.....day of MayA.D., 19 69 , and ending on the 23rd day of May A.D., 19 69

Subscribed and sworn to before me this
 27th day of May 19 69

} + 

.....
 Notary Public of the State of New York, County of Orange.
 MY COMMISSION EXPIRES MARCH 30, 19 71



Adopted 12/20/65

APPLICATION FOR VARIANCE

APPLICATION NO. 69-11

DATE: 19

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (we) Joseph Lewin of 12 Catalpa Road, Town of Newburgh
Nuzzo Construction Corp. (Street & number)
Route 32, Vails Gate, ~~N~~ Town of
New Windsor
New York HEREBY MAKE
(State)

APPLICATION FOR A VARIANCE:

- A. LOCATION OF THE PROPERTY Route 207 RB
(Street & Number) (Use district on Zoning Map)
- B. PROVISION OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance: ~~the premises is so irregular~~)

Art III - Sec 48-7

- C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: the premises is so irregular in ~~shape~~ shape that the premises will not be put to its best use if used for purposes allowed under the RB Ordinance
2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: only ~~one home may possibly be erected on this irregular shaped piece of land; the area is very low and is wet, making undesirable living conditions due to a wet basement.~~
3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Ordinance because: premises were owned by applicant, Lewin, prior to the adoption of the ordinance and that applicant has not done anything to change all existing conditions.

4. Relief, if approved will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance area surrounding these premises are predominantly commercial at present because:

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because:

put to its best use if used for purposes allowed under the RB Ordinance and applicant, Joseph Lewin, has for many years offered this property for sale

D. Describe in detail how the property is to be used and submit plans or sketches in duplicate for use consistent with the ordinance but has never had

~~anyone desirous of purchasing the same until now.~~

~~premises will be used for general offices and warehouse will be~~

~~erected on a concrete slab at an estimated cost of \$50,000.00 and~~

~~comprize a one story building 75' by 60' - 207' and 14 feet high~~

E. Application to be accompanied by a check, payable to the Town of New Windsor in the amount of \$10.00. Application to be returned to: Secretary of the Zoning Board of Appeals.

F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the Ordinance.

G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified.

Dated: April 29, 1969

Joseph Lewin
Signature of Applicant

STATE OF NEW YORK)
COUNTY OF ORANGE)

Sworn to this 29th day of April 1969

12 Calatpa Rd.
Address

Baumgardner
(Notary Public)

Telephone No.

DO NOT WRITE IN THIS SPACE
Application No. 69-11

Date of Hearing June 2, 1969
Date of Decision June 16, 1969

Date Received May 1969
Notice Published May 23, 1969

DECISION: Variance Denied.

ORANGE COUNTY PLANNING BOARD
COUNTY BUILDING, GOSHEN, NEW YORK

PETER GARRISON
PLANNING DIRECTOR

EDWIN J. GARLING
ASSISTANT PLANNING DIRECTOR

ROYAL BRUCE HARDE
ASSISTANT PLANNER

(914) 294-5151

May 15, 1969

Mrs. Louise A. Budney, Chairman
Town of New Windsor Zoning Board of Appeals
c/o Town Hall
New Windsor
Newburgh, New York 12551

Re: use variance, RB District, Route 207

Dear Mrs. Budney:

Acting under its powers of review granted by section 239 m, Article 12B of the General Municipal Law of the State of New York, the Orange County Planning Board, meeting on May 15, 1969, voted upon motion by Mr. Preston, to approve the application for a use variance to allow construction of a general office and warehouse on Route 207, an area presently zoned as an RB (one family residence) District.

The Orange County Planning Board further recommends to the Planning Board and Town Board of New Windsor that it subsequently make this a conforming use by extending the area of the adjacent GI (general industry) District. This could be done by designating to GI those properties listed on the tax map as:

Section 4, Block 1, Plot 11,
Section 6, Block 1, Plot 29,
Section 6, Block 1, Plot 30,
Section 6, Block 1, Plot 31,

and perhaps that portion of Section 6, Block 1, Plot 26 deeper than 375' from Union Avenue, and perhaps that portion of Section 4, Block 1, Plot 12 on the northern side of Little Britain Road (N.Y. State Highway 207), as to be contained within the extended GI District.

Very truly yours,

Kenneth A. MacVean

Kenneth A. MacVean, Chairman
Orange County Planning Board
Review Committee

KAM:f

KENNETH A. MACVEAN, CHAIRMAN - STEPHEN W. HAYES, VICE CHAIRMAN - CLIFTON G. BROWN, SECRETARY - EDWIN J. DIETZ
ALBERT DURLAND - JAMES M. PATT - RAYMOND S. PRESTON - RALPH S. RUNNALS
ALFRED H. PETERSON, SUPERINTENDENT OF HIGHWAYS

ORANGE COUNTY PLANNING BOARD
COUNTY BUILDING, GOSHEN, NEW YORK

PETER GARRISON
PLANNING DIRECTOR

EDWIN J. GARLING
ASSISTANT PLANNING DIRECTOR

ROYAL BRUCE HARDE
ASSISTANT PLANNER

(914) 294-5151

- 2 -

c. c. Barry B. Silver, Attorney
Bernard Sommers, Zoning Board of Appeals Attorney
Howard Collett, Chairman of Planning Board
Theodore Marsen, Supervisor

KENNETH A. MacVEAN, CHAIRMAN - STEPHEN W. HAYES, VICE CHAIRMAN - CLIFTON G. BROWN, SECRETARY - EDWIN J. DIETZ
ALBERT DURLAND - JAMES M. PATT - RAYMOND S. PRESTON - RALPH S. RUNNALS
ALFRED H. PETERSON, SUPERINTENDENT OF HIGHWAYS

Spectators - 8:30 p.m. June 2nd
Public Hearing
Lewin & Ruzzo Const. Co.

<u>Name</u>	<u>Address</u>
Eugene S. Sloan	M.D. 29 RTE 207 New Windsor, N.Y.
Maion M. Sloan	M.D. 29 Rt 207 new Windsor, N.Y.
Kenneth Sloan	M.D. #29 Rt 207 New Windsor, N.Y.
Randy B. Silver	#51 Bury Newburgh, N.Y.
Harold P. Silver	388 Bury Newburgh, N.Y.
James T. Beesmer	P.O. Box 395, Vails Gate, N.Y.
James R. Lock	178 Grand St, Newburgh, N.Y.
Américo J. Angeloni	A. mile Rd #2
Rosa Angeloni	Union Ave. P.O. #2

June 2, 1969

Zoning Board of Appeals
Town of New Windsor
New Windsor, New York

Gentlemen:

Please be advised that we are in favor of the application presented by Joseph Lewin and Nuzzo Construction Corporation. We have had discussions with Mr. Nuzzo and we feel that this improvement would in no way adversely affect our property which is contiguous and lying to the south and west of the property under consideration. We would like to take this opportunity to ask this board to act favorably upon this request.

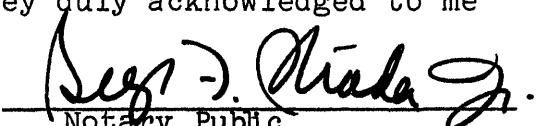
Very truly yours,


Frank Larocca


Doris Larocca

State of New York :
County of Orange : ss.

On this 2nd day of June 1969, before me personally came FRANK LARocca and DORIS LARocca, his wife, to me known and known to me to be the individuals described in, and who executed, the foregoing, and they duly acknowledged to me that they executed the same.

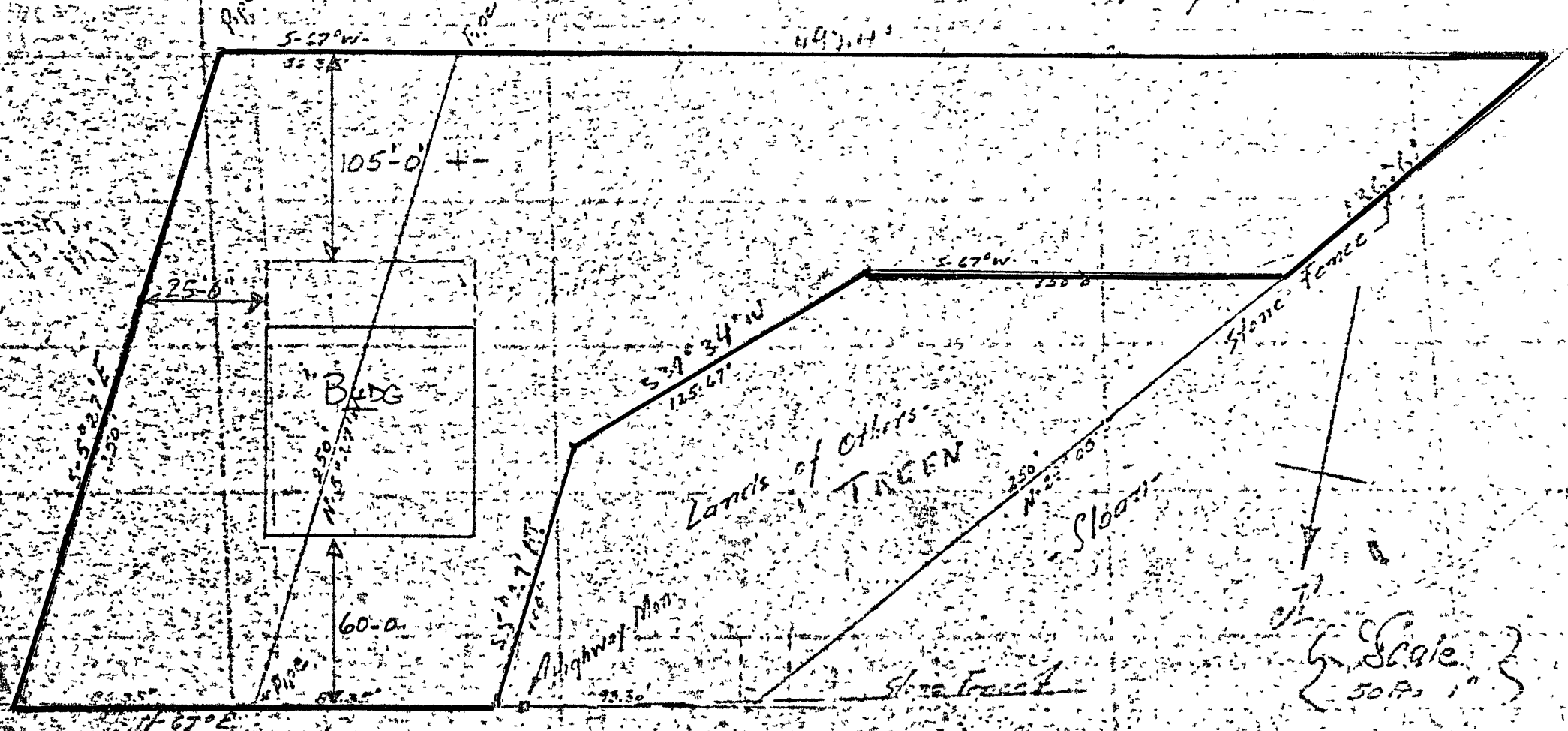

Notary Public

GEORGE F. STRADAR, JR.
Notary Public State of New York
Qualified in Orange County
My Commission Expires March 30, 1970

Located in the Town of New Alamo,
Orange County, NY. 3/29/50

Located in the Town of New Alamo,
Orange County, NY. 3/29/50

By the foregoing L.C.

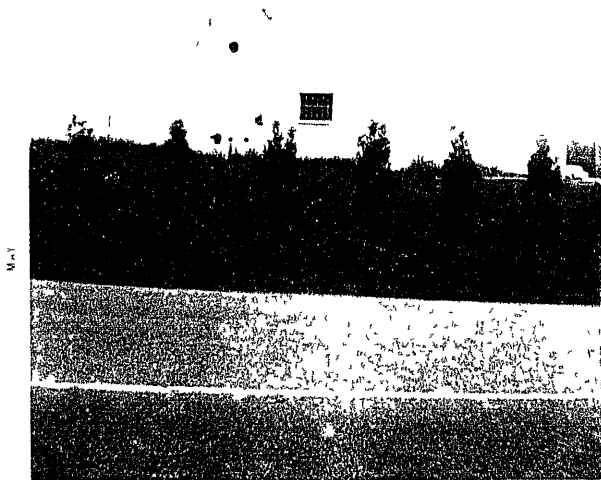


Little Britain Road.

Scale: }
50 ft. 1" }

**PREVIOUS
DOCUMENT
IN POOR
ORIGINAL
CONDITION**

A



NOTE: SCREENING



NOTE: LANDSCAPING



BY-PRODUCTS

OF A

WAREHOUSE



HOME NEXT TO PROPERTY
3.



ALL PICTURES MADE ON MAY 20, 1969
AT (HEAVY RAIN ALL DAY) AT 4:45 P.M.



NOTE: ELEVATION ABOVE HIGHWAY
4.



100 FEET FROM ROUTE 207
ON SAID LOT. NOTE DRYNESS
OF GROUND.

7 Franklin Ave., N. D. 42
New Windsor, N. Y. 12550
May 28, 1969

Earle O. Morse, Secretary
New Windsor Planning Board
12 Union Avenue
New Windsor, N. Y. 12550

Dear Mr. Morse:

Enclosed please find a copy of an Application for a Conditional Use Permit in the matter of the Church of Jesus Christ of Latter Day Saints, together with public hearing notice which appeared in the newspaper. Said hearing will take place on Monday, June 2nd, 8 p.m. at New Windsor School.

Also, please find enclosed a copy of an Application for a Variance in the matter of Levin & Muzzo Construction Corp., together with public hearing notice which appeared in the newspaper. The latter hearing will take place on Monday, June 2nd, 8:30 p.m. at New Windsor School.

Yours very truly,

Patricia Delio,
Secretary

Encs.

May 15, 1969

Mrs. Louise A. Budney, Chairman
Town of New Windsor Zoning Board of Appeals
c/o Town Hall
New Windsor
Newburgh, New York 12551

Re: use variance, RB District, Route 207

Dear Mrs. Budney:

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Very truly yours,

KAM:f

Kenneth A. MacVean, Chairman
Orange County Planning Board
Review Committee

- 2 -

c. c. Barry B. Silver, Attorney
Bernard Sommers, Zoning Board of Appeals Attorney
Howard Collett, Chairman of Planning Board
Theodore Marsen, Supervisor



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

Ellsworth E. Weyant
May 19, 1969

May 1, 1969

Barry B. Silver, Esquire
481 Broadway
Newburgh, New York 12550

RE: Joseph Lewin

Dear Sir:

As requested, the attached list of property owners are within the five hundred (500) feet of the property owned by the above reference.

A charge of fifteen dollars (\$15.00) is required for this service.

Please remit same to me, making the check payable in my name. Thank you.

Respectfully,

Ellsworth E. Weyant, pt
ELLSWORTH E. WEYANT
Chairman, Assessors
Town of New Windsor

EEW:pt
Enc.



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

RE: Joseph Lewin

Page 2

Moynihan, Anna ✓
MD #29, Route 207
Newburgh, New York

Schaffner, Frank ✓
Little Britain Rd., MD #29
Newburgh, New York

Sloan, Warren, Mary, William J. & Cora ✓
Temple Hill Road, RD #2
Newburgh, New York

The City of Newburgh ✓
Newburgh, New York

Angeloni, Americo & Rose
RD #2, Union Avenue ✓
Newburgh, New York
(2 parcels)

Ronsini, Alfonso & Mary ✓
RD #2, Union Avenue
Newburgh, New York

Ronsini, Richard C. & Eleanore ✓
628 Union Avenue
Newburgh, New York

Ronsini, Mario & Ruth ✓
630 Union Avenue
Newburgh, New York

Lucas, Edward & Rachel ✓
618 Union Avenue
Newburgh, New York

Shea, Theodore C. ✓
Temple Hill Road
Box 495
Vails Gate, New York

Signed: Ellsworth E. Weyant, pt
ELLSWORTH E. WEYANT
Chairman, Assessors
Town of New Windsor

EEW:pt

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date MAY 6, 1969

To JOSEPH LEWIN
12 CATALPA RD
NEWBURGH N.Y

PLEASE TAKE NOTICE that your application dated APR 18, 1969
for permit to CONSTRUCT OFFICE & WAREHOUSE
at the premises located at S/ ROUTE 207

is returned herewith and disapproved on the following grounds:

ZONING VARIANCE NEEDED

.....
Building Inspector

April 30, 1969

Orange County Planning Board
Goshen
New York

Re: Lewin and Nuzzo Construction Corp.

Gentlemen:

Enclosed herewith is an application for a variance together with a sketch of the proposed building on lands located in the Town of New Windsor, Route 207. Would you be good enough to report your findings and opinions to the Town of New Windsor Planning Board and myself.

Very truly yours,

Barry B. Silver

BBS:bf
Enclosure

C
O
P
Y

LAW OFFICES
BARRY B. SILVER

FOUR EIGHTY-ONE BROADWAY
POST OFFICE BOX 2261
NEWBURGH, NEW YORK 12550
TEL (514) 662-4081

April 30, 1969

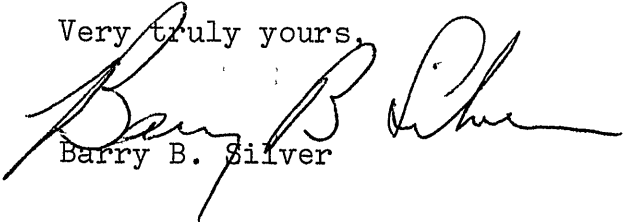
Mrs. Patricia Delio, Secretary
New Windsor Zoning Board of Appeals
7 Franklin Avenue, M.D. 42
New Windsor, New York 12550
Re: Lewin and Nuzzo Construction Corp.
Dear Mrs. Delio:

Enclosed herewith is a Notice for Publication together with an original and copy of the application and a check in the amount of \$10.00 made payable to the Town of New Windsor. I am this date requesting of the Tax Assessor a list of names which I will use to send notices of the hearing.

I am attempting to schedule it for the 3rd Monday in May, that being the 19th.

I will confirm this date with you prior to sending out the notices.

Very truly yours,


Barry B. Silver

BBS:lf
Enclosure